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Amendment and Response under 37 C.F.R. 1.116

Applicant: Melissa D. Boyd et al.

Serial No.: 10/723,891

Filed: November 26, 2003

Docket No.: 10970792-4

Title: PLATFORM INCLUDING FLUID MANIFOLD FOR MULTIPLE FLUID EJECTION DEVICES**REMARKS**

The following Remarks are made in response to the Final Office Action mailed November 16, 2006, in which claims 20-22, 26-31, and 35-37 were allowed, claims 38, 42, 43, and 45 were rejected, and claim 41 was objected to.

With this Amendment, claims 38, 43, and 45 have been cancelled without prejudice, and allowable claim 41 has been rewritten in independent form. Claims 20-22, 26-31, 35-37, 41, and 42, therefore, remain pending in the application and are presented for reconsideration and allowance.

This Amendment is being submitted to further prosecution and permit the issuance of a patent on the allowable subject matter, and should not be construed as acquiescence by Applicant in any outstanding objections or rejections. In addition, Applicant reserves the right to pursue the content of any cancelled claims in a continuing application.

Claim Rejections under 35 U.S.C. § 102

Claims 38, 42, 43, and 45 are rejected under 35 U.S.C. 102(b) as being anticipated by Cowger et al. US Patent No. 5,565,900.

With this Amendment, claims 38, 43, and 45 have been cancelled without prejudice. In addition, dependent claim 42 has been amended to depend from allowable claim 41. The rejection of claims 38, 42, 43, and 45 under 35 U.S.C. 102(b), therefore, is rendered moot.

Allowable Subject Matter

Claims 20-22, 26-31, and 35-37 are allowed. Applicant appreciates the indicated allowance of these claims.

Claim 41 is objected to as being dependent upon a rejected based claim, but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

Applicant agrees with the Examiner's conclusions regarding patentability without necessarily agreeing with or acquiescing in the Examiner's reasoning. In particular, Applicant submits that the above-identified claims are allowable because the prior art fails to teach, anticipate or render obvious the invention as claimed, independent of how the invention is paraphrased.

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With this Amendment, Applicant has rewritten allowable claim 41 in independent form to include all of the limitations of the base claim (claim 38) and any intervening claims (none). Accordingly, Applicant has amended dependent claim 42 to depend from rewritten independent claim 41. As rewritten claim 41 is now believed to be in allowable form, Applicant respectfully submits that dependent claim 42 is allowable in dependent form. Applicant, therefore, respectfully requests that the objection to claim 41 be withdrawn and that claims 41 and 42 be allowed.

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Title: PLATFORM INCLUDING FLUID MANIFOLD FOR MULTIPLE FLUID EJECTION DEVICES**RECEIVED
CENTRAL FAX CENTER****JAN 16 2007****CONCLUSION**

In view of the above, Applicant respectfully submits that pending claims 20-22, 26-31, 35-37, 41, and 42 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either Donald J. Coulman at Telephone No. (541) 715-1694, Facsimile No. (541) 715-8581 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on this 16th day of January, 2007.

By 
Name: Scott A. Lund